

# Senate Study Bill 1009

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CO=CHAIRPERSON KREIMAN)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act authorizing the juvenile court to suspend a child support  
2 obligation based on a dispositional order transferring custody  
3 to the obligor.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1331XC 81  
6 pf/gg/14

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1 1 Section 1. Section 232.4, Code 2005, is amended to read as  
1 2 follows:  
1 3 232.4 JURISDICTION == SUPPORT OBLIGATION.  
1 4 1. Notwithstanding any other provision of this chapter,  
1 5 and for the purposes of establishing a parental liability  
1 6 obligation for a child under the jurisdiction of the juvenile  
1 7 court, a support obligation shall be established pursuant to  
1 8 section 234.39.  
1 9 2. Notwithstanding any provision of the Code to the  
1 10 contrary, and for the purpose of modifying a child support  
1 11 order of a child under the jurisdiction of the juvenile court,  
1 12 if a dispositional order of the juvenile court transfers the  
1 13 legal custody of the child from a custodial parent to a parent  
1 14 who had not previously been awarded physical care of the child  
1 15 and who is subject to payment of child support pursuant to a  
1 16 support order entered under chapter 234, 252A, 252C, 252F,  
1 17 598, 600B, or any other chapter of the Code, the juvenile  
1 18 court shall order the clerk of the district court or the  
1 19 collection services center, as applicable, to suspend any  
1 20 support payments ordered paid to the former custodial parent  
1 21 for the time period that legal custody is transferred to the  
1 22 parent who had not previously been awarded physical care of  
1 23 the child. Unpaid support accrued prior to the transfer of  
1 24 legal custody referred to in this subsection remains due and  
1 25 owing. The juvenile court shall notify the clerk of the  
1 26 district court or the collection services center of any  
1 27 termination, modification, vacation, or substitution of the  
1 28 dispositional order which transfers the legal custody of the  
1 29 child from the parent who had not previously been awarded  
1 30 physical care of the child.

1 31 EXPLANATION

1 32 This bill provides that for the purposes of modifying a  
1 33 child support order of a child under the jurisdiction of the  
1 34 juvenile court, if the dispositional order transfers legal  
1 35 custody of the child from the obligee to the obligor, the  
2 1 juvenile court is directed to order suspension of the support  
2 2 payments. Unpaid support accrued prior to the transfer of  
2 3 legal custody remains due and owing. The bill directs the  
2 4 juvenile court to notify the clerk of the district court or  
2 5 the collection services center of any termination,  
2 6 modification, vacation, or substitution of the dispositional  
2 7 order which transfers legal custody.  
2 8 LSB 1331XC 81  
2 9 pf/gg/14